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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,446	12/12/2003	Seungyun Yoon	TN329	2038

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EXAMINER	
NEWTON, JARED W	

ART UNIT	PAPER NUMBER
3634	

DATE MAILED: 06/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/735,446	YOON ET AL.	
	Examiner	Art Unit	
	Jared W. Newton	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,9-14 and 17-33* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6, 9-14, 17-25, 27-32* is/are rejected.

7)☒ Claim(s) *26 and 33* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

At the outset, it is noted that, and the Applicant is thanked for the written reply including the substance of the Telephonic Interview of April 4, 2006, which was received with the remarks filed April 19, 2006, to which this non-final rejection is a reply.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites, "The fixture of claim 1, which further includes a bracket...separated from the fixture..." Claim 1 is drawn to a fixture, and claim 30 depends from claim 1 and intends to further define the fixture; however, it is indefinite how a fixture can include a bracket that is also separated from the fixture.

Claim Rejections - 35 USC § 102

Claims 1-5, 9-13, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 2,182,546 to Raymond.

In regard to claims 1, 9, 10, and 17, Raymond discloses a hinge comprising: a first plate 4 having a surface 5 for receiving a component 19; a second plate 3 having a surface for attachment to a frame or rack and cooperating with the first plate to form a combination of mounting plates, and a flange 11 extending from a longitudinal edge of

the surface of the second plate; wherein the first plate is pivotally connected to the second plate so that, in a first position, the first plate is adjacent to and in substantial alignment with the second plate and, in a second position, the first plate is rotated to an orientation which longitudinally projects from the second plate; and a locking mechanism 12 fixed to the flange of the second plate, wherein the locking mechanism includes a tip 15 which is movably coupled with the flange 11 of the second plate by extending through an aperture formed in said flange (see FIG. 5), for selectively engaging the component 19 received by the first plate (see FIG. 4).

In regard to claims 2-5, and 11-13, Raymond discloses the fixture of claim 1, and further discloses said first and second plates forming an angle, a hinged connection between said first and second plate, wherein said hinge is positioned along lateral edges of each plate, and said first and second plates having substantially rectangular shapes (see FIGS. 1 and 4).

Claims 18-24 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 6,079,081 Padiak et al.

In regard to claim 18, Padiak et al. disclose a fixture in combination with a component and a storage rack 10 for supporting a plurality of components 12, wherein the rack is comprised of a plurality of supports 18 which combine to define a region for receiving the plurality of components which includes first portions for freely accessing the components, and second portions defining an area of limited access which is at least partially blocked by the supports of the rack, and wherein the fixture comprises: a

first plate 134 having a surface for receiving the component; and a second plate 130 having a surface 168 attached to the rack and cooperating with the first plate to form a combination of mounting plates; wherein the first plate is pivotally connected to the second plate by a hinge (pin 32, and openings 144 and 140—see FIG. 3) which operatively connects the mounting plates so that, in a first position, the first plate is located within the second portions of the region defined by the plurality of supports, adjacent to and in substantial alignment with the second plate and, in a second position, the first plate is rotated to an orientation which longitudinally projects from the second plate and which is located within the first portions of the region defined by the plurality of supports (see FIG. 1).

In regard to claim 19, Padiak et al. further disclose the hinges mounted on the lateral edges of the plates (see FIG. 3).

In regard to claim 20, Padiak et al. further disclose said plates forming an angle (see FIG. 4).

In regard to claim 21, Padiak et al. further disclose said plates having substantially rectangular shapes (see FIG. 3).

In regard to claim 22, Padiak et al. further disclose a notch disposed in said first plate on an opposite side of said plate than said hinge (see FIG. 3).

In regard to claim 23, Padiak et al. further disclose a flange 148 extending from a longitudinal edge of said second plate (see FIG. 3).

In regard to claim 24, Padiak et al. further disclose a locking mechanism 154 fixed to the flange of the second plate (see FIG. 3).

In regard to claim 25, Padiak et al. further disclose said locking mechanism including a tip 156, which is movably coupled with the flange 148 of the second plate, thereby selectively engaging the component received by the first plate (see FIG. 4).

In regard to claim 27, Padiak et al. further disclose an aperture 174 (74) disposed in said second mounting plate, intended to receive a fastener 76 to connect said second plate to said rack (see FIGS. 3 and 4).

In regard to claim 28, said component is support by said plates within the second portions of the region defined by the plurality of supports when the first plate is in the first position (see FIG. 1).

In regard to claim 29, said first plate is connected to the side of said component 12 via fasteners and apertures 138 (38) (see FIG. 3).

Claims 1, 10, and 30-32 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 1,898,562 to More (Please see Examiner's Figure 1E below for reference).

In regard to claims 1 and 10 More discloses a door hinge fixture comprising: a first plate 10 having a surface for receiving a component (door); a second plate 11 having a surface for attachment to a frame or rack and cooperating with the first plate to form a combination of mounting plates, and a flange 12 extending from a longitudinal edge of the surface of the second plate; wherein the first plate is pivotally connected to the second plate so that, in a first position, the first plate is adjacent to and in substantial alignment with the second plate and, in a second position, the first plate is rotated to an

orientation which longitudinally projects from the second plate; and a locking mechanism 13 fixed to the flange of the second plate, wherein the locking mechanism includes a tip 14 which is movably coupled with the flange of the second plate for selectively engaging the component received by the first plate.

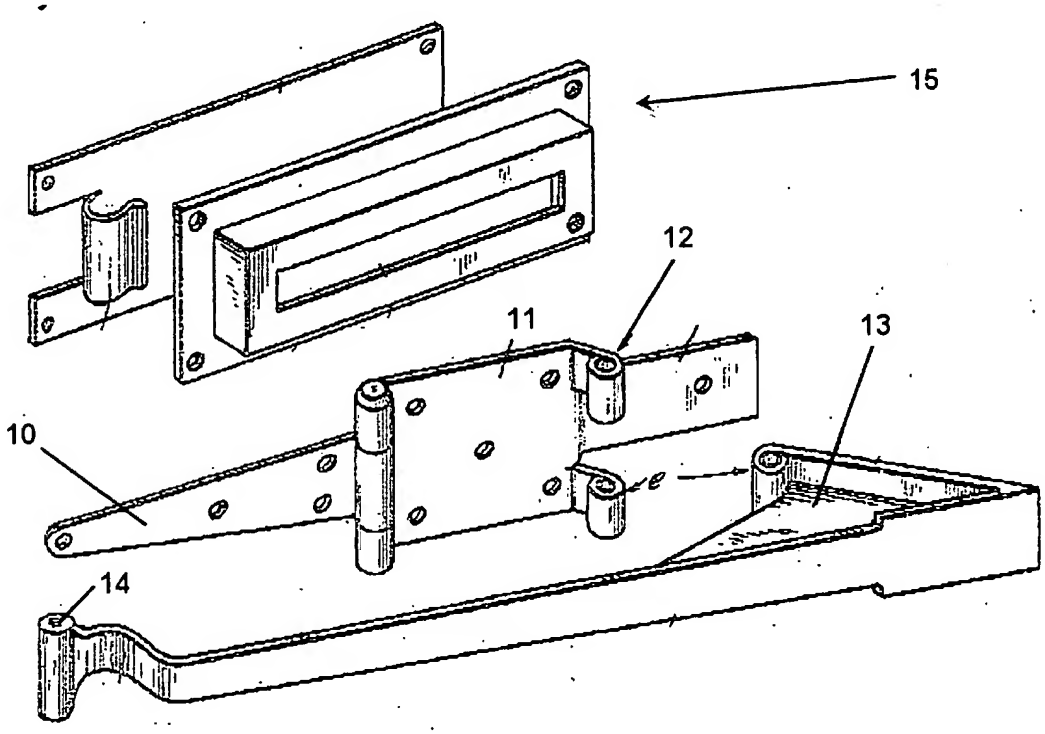

FIGURE 1E: Examiner's Figure of the More reference

In regard to claims 30-32, More further discloses a bracket 15 for association with the component received by the first plate and separated from the hinge fixture, for selective engagement by the tip of the locking mechanism.

Claim Rejections - 35 USC § 103

Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over '546 to Raymond as applied to claims 1-5, 9-13, and 17 above, and further in view of US Patent No. 6,523,223 to Wang.

Raymond does not disclose a notch formed in the edge of said first plate opposing said hinge.

Wang discloses a hinge comprising a notch, or recess 21 located in the first plate of said hinge, on an edge opposite of the hinge portion (see FIG. 1). It would have been obvious to one of ordinary skill in the ad at the time of the invention to provide the first plate of the hinge disclosed by Raymond with the notch as disclosed by Wang. The motivation for including a notch would be to allow for said hinge to be

Allowable Subject Matter

Claims 26 and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments filed April 19, 2006, with respect to the rejection(s) of claim(s) under Wang, Van Buskirk, and Brousseau have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further

consideration, a new ground(s) of rejection is made in view of Raymond, Padiak et al., More, and Wang, as set forth above.

In particular, the 35 U.S.C. 102 rejections based on the Wang reference are overcome by the inclusion of limitation that the locking mechanism is "fixed to the flange of the second plate" (see Claim 1, ln. 16-17; Claim 10, ln. 17-18; Claim 24, ln. 2-3).

Applicant's arguments with respect to the combination of the Van Buskirk and Brousseau references are moot in view of the new ground(s) of rejection.

Per the telephonic interview with the Attorney of record (a summary of which is included herewith), the Examiner has given due consideration to the proper positive recitation of the rack and its components as previously presented in the Reply filed on December 29, 2005.

With regard to the 35 U.S.C. 103 rejections based on Raymond in view of Wang, the modification of a hinge with the notch as disclosed in the Wang reference is taken as admitted prior art, as set forth in the office action mailed October 17, 2005.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US Patent No. 1,197,420 to Wizorek
- US Patent No. 1,661,113 to Deshon
- US Patent No. 4,564,167 to Smith
- US Patent No. 6,044,984 to Crosby

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jared W. Newton whose telephone number is (571) 272-2952. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on (571) 272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jared W. Newton
June 22, 2006
JWN

RICHARD E. CHILCOT, JR.
SUPERVISORY PATENT EXAMINER